

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

JUAN MANUEL REYES,

Plaintiff,

v.

SUSAN WASHBURN, Superintendent of EOCl; **ANDREA NEISTADT**, Assistant Superintendent of EOCl; **L. LEGORE**, Law Library Supervisor of EOCl; **C. BOLLES**, Law Library Coordinator; **CAPT. J. WALKER**, Operations Capt.; **CAPT. T. STEWART**, Institutional Capt.; **P. VILLERS**, Law Library Coordinator of EOCl; and **MS. M. JOHNSON**, Law Library Coordinator of EOCl,

Defendants.

Case No. 2:21-cv-01175-SB

ORDER ADOPTING F&R

Juan Manuel Reyes, No. 21302533, Eastern Oregon Correctional Institution, 2500 Westgate, Pendleton, OR 97801. Pro Se.

Molly K. Honore, Chad A. Naso, Jermaine Brown, Kerry J. Shepherd, R. Kyle Busse, Allison Rothgeb, and April Stone, Markowitz Herbold PC, 1455 SW Broadway, Suite 1900, Portland, OR 97201. Attorneys for Defendants.

IMMERGUT, District Judge.

On November 15, 2024, Magistrate Judge Beckerman issued her Findings and Recommendation (“F&R”), ECF 86. The F&R recommends that this Court grant in part and deny in part Plaintiff’s Motion for Leave to File a Fourth Amended Complaint, ECF 80. No party filed objections.

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

No party having filed objections, this Court has reviewed the F&R and accepts Judge Beckerman’s conclusions. The F&R, ECF 86, is adopted in full. Accordingly, this Court GRANTS in part and DENIES in part Plaintiff’s Motion for Leave to File a Fourth Amended Complaint, ECF 80.

IT IS SO ORDERED.

DATED this 12th day of December, 2024.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge